

June 7, 1993

To the Honorable Judge Barbara Rothstein:

On June 24th I will be coming before you to be sentenced on two counts, to which I have entered a plea of guilty. The first, conspiracy to import hashish, and the second, conspiracy to distribute cocaine and hashish. Both acts occurred between 1989 and 1991, and for both I take complete responsibility. I hope this letter expresses to some degree who I am, why I did what I did, and my regrets.

For twenty eight years I lived a very advantaged and fortunate life. I was born in Los Angeles, but raised most of my life in Seattle, by parents who loved and provided for me. My mother was widowed when my brother and I were three and two years old, and did not remarry until six years later. Throughout this time my mother was left with the complete responsibility of providing for two sons, which she did with complete devotion. We then had the great fortune of having a very loving stepfather, whom we consider our father.

Although growing up was not always easy, I was blessed with the support which allowed me to complete my education, graduating from the University of Washington with a degree in International Business. Looking back, I am aware that these advantages that I have had make my drug dealing even less excusable.

My whole life I have been extremely competitive and ambitious. I believe this began at a very young age. My brother is a year older, and has always been my closest friend and companion. We both loved sports, but because of our close age I was always trying to compete with him, and of course, the age difference put me at a disadvantage. I think that this competition helps to explain my present problem with drugs. I have always felt pressure to be better than I am, and being successful in business has been one way of proving myself.

I have known Chuck O'Connor most of my life, beginning as school mates at Madrona Middle School, through graduation from the University of Washington. We have been through a lot in our fifteen year relationship, both personally and in business. Chuck helped me considerably with my export company, as I did with his landscaping company. We are both ambitious, and we had the vision of starting our own restaurant, but did not have the money we needed. This was our primary reason for getting involved with drugs.

This present indictment, and the Las Vegas conviction are intertwined. In the spring of 1989, Chuck O'Connor had a friend who was selling him small amounts of cocaine, but who was also interested in buying a kilo of cocaine. Because of

our close relationship, Chuck asked me if I knew of anyone who could supply this amount. I introduced Chuck to Dan Zylstra, who was a patron at my restaurant and had told me numerous times that he had been incarcerated on various drug charges.

Dan agreed that he could supply the cocaine through a contact in Florida. This became a total disaster. When we arrived in Florida, Dan left with Chuck's fifteen thousand dollars and a rental car but returned with neither the cocaine or the money. He said the contacts stole Chuck's money and all our luggage that was in the rental car. At this time I decided to return to Seattle. However, Chuck and Dan decided to stay in Florida in a failed attempt to try to recover Chuck's money.

The following November we decided to try a second time through a contact in Las Vegas to replace the money lost in the first attempt. Dan had agreed with Chuck that he would take the responsibility for the lost money and replace the fifteen thousand dollars that was stolen from him in Florida, but could not repay him until the coming summer. This is why we had to borrow money from various people, including our parents, under deception, to make the Las Vegas deal work. This also was a complete failure. I was arrested at the Las Vegas airport and was placed under five year probation for possession of a controlled substance. I understood fully at the time that probation was society's and the court's way of giving me a second chance.

Because of the Florida and Las Vegas failed attempts, we were in heavy debt. By this time we had borrowed about fifty-thousand dollars because of the money lost, legal fees, and fines, and we felt pressure to repay this immediately. I know this sounds insane to you, and to anyone who reads this, but we decided we had to continue, at least until we paid back all our debts.

In the spring of 1990, Dan Zylstra said that he could replace the original kilo that was ripped off in Florida in May 1989, so Dan, Chuck and Chuck's friend, the person who gave Chuck the money for the original purchase, went to Florida to complete the deal. At this time I was in Spain. Chuck called me to tell me that the commission on this deal was approximately 200 grams of cocaine, which he was willing to bring to Spain to sell and split the profits on the condition that he was provided an airline ticket. A Spanish friend, Mr. Ariaga, and I agreed. After Chuck arrived in Spain, Chuck noted that hashish, which is a legal drug there, could be sold to one of his close friends in Seattle, who I did not know. This was the beginning of the three-way partnership between Mr Ariaga, Chuck, and me. Through a contact of Mr. Ariaga's in Spain we had 22 pounds of hashish fronted to us which Chuck brought back to Seattle in his luggage. Throughout this time, Bill Aldrich, Dan Zylstra's contact in Florida, called us to see if we were interested in trading hash for cocaine. Chuck travelled to North Carolina to make the exchange. But when Chuck returned to Seattle, we discovered that the cocaine was fake, and we

threw it away.

After this third failed attempt, we made the decision not to get involved with cocaine anymore, but rather just with hashish, and also the possibility of growing marijuana. At this time we purchased a house in Ballard whose previous owner had grown marijuana in the house. The basement had already been semi-prepared for this, and through Dan Zylstra, we had the expertise to complete it. But these plans were quickly aborted because the money to purchase the house was loaned to me by parents. I felt risking the house would place my parents money in jeopardy which I could not allow.

By the end of September of 1991, Chuck and I decided we could no longer continue in this business. We also suspected that a package of hashish sent from Spain was confiscated. Throughout the period after we stopped, the DEA tried on various occasions with their confidential informants to get us involved in drugs. All offers were declined.

A year and a half later, while I was in Spain, Chuck O'Connor called several times to warn me and my parents that if I returned to the United States I would be facing serious charges. This created one of the most difficult decisions that I have had to make in my lifetime. I am still asked if I feel if I have made the right decision by returning to the United States. To be quite honest, it is a decision that I am glad I have made, even with the considerable amount of time of incarceration that I am facing. I could not accept the condition that I would never be able to return to this country.

This has been a terrible ordeal for my family, one which I may never be able to live down. Although they haven't expressed it, I can imagine the disappointment they are feeling, and the fear for my future. I realize my behavior has been incredibly stupid and selfish, and I hope I have the chance to make it up to my family, friends, and society. I am prepared to accept whatever punishment I am given. My only requests are that I be allowed to serve my sentence at the Sheridan facility, so my parents will be able to visit me. My father has a heart condition which presently prevents him from flying. Also, that after the completion of my incarceration, through my supervised release, I am allowed to continue to travel to Spain to return to my legal business of exporting American sportswear to Europe.

Respectfully yours,



David R. Mendoza